

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 26-27, 29-30, and 32-40 are currently pending. Claims 26, 29, 32 and 34, which are independent, are hereby amended. No new matter has been introduced. Support for this amendment is provided throughout the Specification as originally filed.

Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

### **II. REJECTIONS UNDER 35 U.S.C. §103**

Claims 26, 27, 29, 30, 32-36, and 38 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,163,316 to Killian in view of U.S. Patent Application Publication No. 2004/0128685 of Hassell et al. (hereinafter, merely "Hassell");

Claim 37 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Killian in view of Hassell and further in view of U.S. Patent No. 5,758,257 to Herz et al. (hereinafter, merely "Herz"); and

Claims 39 and 40 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Killian in view of Hassell and further in view of U.S. Patent No. 6,698,020 to Zigmond et al. (hereinafter, merely “Zigmond”).

Applicants respectfully traverse this rejection.

Independent claim 26 recites recites, *inter alia*:

“a remote controller means for remotely controlling the receiving means, the remote controller means having a display unit and a removable recording medium, wherein the remote controller means is separate from the receiving means...”  
(emphasis added).

In an aspect of the present invention, the receiver has a remote control device. The remote control device includes a removable recording medium and a display. Digital content that is selected by the receiver based on the attributes of the digital content is recorded on the removable recording medium of the remote control device and the remote control device that is separate from the receiver.

Applicants respectfully submit that claim 26 is allowable. The other independent claims are similar, or somewhat similar, in scope and are patentable for similar, or somewhat similar, reasons.

### III. OTHER DEPENDENT CLAIMS

The other claims are dependent from one of the claims discussed above and are therefore believed patentable for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

**CONCLUSION**

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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